

RESOLUTION CR-66-98

A RESOLUTION TO AUTHORIZE THE ADMINISTRATIVE ASSISTANT TO ENTER INTO AN AGREEMENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION FOR THE IMPROVEMENT TO INTERSTATE I-71

WHEREAS, the State has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

This project proposes to plane and resurface mainline I-71 from the Franklin County line to just south of I-70;

TERMINI: South Corp. to North Corp., City of Grove City.

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; and

WHEREAS, the Director of Transportation further desires cooperation from the City in the planning, design and construction of said improvement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The Director of Transportation hereby requests the cooperation of the City of Grove City, Ohio in the cost of the above-described improvement as follows:

Consent is hereby given by the City for the above improvement and the City further agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement, as determined by the State and the Federal Highway Administration.

SECTION 2. It is declared to be in the public interest that the consent of the City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION 3. The City Administrator of said City, is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

SECTION 4. Traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.


facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy 23-CFR-645A and the Department of Transportation's rules on Utility Accommodation; (g) the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

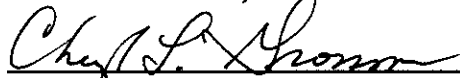
SECTION 7. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 7-20-98

Effective: 7-20-98

Attest:


Michael Milovich, Jr., President of Council


Cheryl L. Grossman, Mayor


Tami K. Kelly, CMC/AEE, Clerk of Council

I Certify that this ordinance is correct as to form.


Thomas Clark, Director of Law

SECTION 5. Upon completion of said improvement, the City, will thereafter, for all portions for which it is responsible, keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
- (d) Regulate parking in the following manner:

Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION 6. (a) All existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor; (b) the State will acquire any additional right-of-way required for the construction of the aforesaid improvement; (c) arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by Grove City or the Department of Transportation; (d) it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive H-P-508 inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer; (e) the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State; (f) the installation of all utility